

VIA CM/ECF FILING

November 5, 2021

The Honorable Virginia K. DeMarchi
Robert F. Peckham Federal Building
Courtroom 2 – 5th Floor
280 South 1st Street
San Jose, CA 95113

Re: Joint Discovery Letter Regarding Court's October 12, 2021 Order Regarding ESI Dispute
Maximilian Klein et al. v. Facebook, Inc., Case No. 5:20-cv-08570-LHK (N.D. Cal.)

Dear Judge DeMarchi:

Pursuant to the Court's instructions in its October 12, 2021 Order Re Discovery Dispute Re ESI Protocol, Dkt. 161, the parties in the above captioned matter write to provide the following updates to the Court.

Status of Discussions Regarding Backup Systems and Tapes. The parties appreciate the guidance that the Court provided in its October 12, 2021 order. The parties have exchanged requests for information and are working to obtain that information so that the parties can meaningfully discuss the items raised in the Court's October 12, 2021 order. *See* Dkt. 161 at 1–2. To the extent that any disputes remain following those discussions, the parties will submit those disputes to the Court pursuant to the joint discovery letter brief procedures outlined in Section 4 of the Court's Standing Order for Civil Cases and the Court's October 12, 2021 order.

DATED: November 5, 2021

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Respectfully submitted,

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ATTESTATION OF BRANTLEY I. PEPPERMAN

This document is being filed through the Electronic Case Filing (ECF) system by attorney Brantley I. Pepperman. By his signature, Mr. Pepperman attests that he has obtained concurrence in the filing of this document from each of the attorneys identified on the caption page and in the above signature block.

Dated: November 5, 2021

By: /s/ Brantley I. Pepperman
Brantley I. Pepperman

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of November 2021, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System, causing the document to be electronically served on all attorneys of record.

Dated: November 5, 2021

By: /s/ Brantley I. Pepperman
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